

# PRESIDENT'S ACTION PROGRAMME

Annex V to the Final Report of the Fifth Meeting of the States Parties

Bangkok

19 September 2003

## Introduction

Four years after its entry into force, dramatic progress has been made in implementing the Convention and in promoting its universal acceptance. However, additional efforts will be required to ensure that the Convention lives up to its humanitarian promise. The Convention's First Review Conference in 2004 will be an opportunity to renew our commitment to the total eradication of anti-personnel mines and to overcoming the insidious and inhumane effects of these weapons. With this in mind, the President of the Fifth Meeting of the States Parties urges:

- all States Parties and relevant organizations to renew their commitments to the implementation of the Convention;
- all mine-affected States Parties to ensure that by the First Review Conference plans are in place and concrete steps taken to fully implement the Convention;
- all States Parties, relevant international and regional organizations and non-governmental organizations to engage more actively States not party to the Convention, including by emphasizing the benefits of joining the Convention;
- all States not yet party to the Convention to join us in this common effort, recognizing that the Convention is consistent with and supportive of national social and economic development, human security and multilateralism.

To focus our collective efforts to achieve these objectives in the period leading to the Convention's First Review Conference, the President has identified the following objectives and actions for consideration:

## Focusing on our core humanitarian objectives

### *A. Clearing mined land*

Forty States Parties have reported mined areas. An additional 6 of those States Parties that have not yet submitted Article 7 reports, may be mine affected. Clearing mined areas within 10 years after entry into force of the Convention will be a significant challenge for many of these States. By acting promptly and in a systematic manner, we can ensure that this 10-year period will be well used

towards meeting the deadline for mine-clearance. It is necessary that in the year leading up to the First Review Conference mine-affected States Parties share information about their problems, their national plans consistent with the Convention's deadlines, progress that they have made and their priorities for assistance. It is also essential that States Parties and relevant actors render all possible mine survey assistance to States in need. At the same time, States Parties should more actively encourage states outside the Convention with mine clearance capacity and technology to strengthen their involvement in our efforts towards the full eradication of landmines.

### *B. Destroying stockpiled mines*

We celebrate the fact that more than 110 States Parties now no longer have anti-personnel mine stockpiles and that together the States Parties have destroyed more than 30 million mines. However, important challenges remain. Eleven States Parties are in the process of destroying their stockpiled anti-personnel mines, but several States Parties have yet to begin doing so. While mine clearance and victim assistance require our utmost attention, in the interest of the health of the Convention we must also place a high priority on meeting our deadlines for stockpile destruction. State Parties which have completed their stockpile destruction are urged to share their experiences at the bilateral, regional or multilateral levels with State Parties for which the deadline is not yet due.

### *C. Assisting victims*

Approximately 40 States Parties may require assistance to meet the care, rehabilitation and social and economic reintegration needs of landmine survivors. The challenge of meeting these needs is compounded by the fact that countries with the greatest numbers of mine victims are also amongst the world's poorest. The obligation to assist a particular State Party's landmine survivors ultimately rests with that State and it is an obligation that lasts for the lifetime of survivors. However, States Parties have a responsibility to provide technical and other assistance to support the efforts of the States in need. Because of the nature of this obligation and partnership, it is essential in the year leading to the First Review Conference that States Parties requiring assistance provide information about their problems, establish national plans, communicate progress and define their priorities for outside assistance. Victim assistance programmes must take

into account the views and needs of survivors and their families, respect the dignity of the survivors and aim to help them to help themselves

#### *D. Universalizing the Convention*

With more than two-thirds of the world's States having already joined the Convention, the international humanitarian norm established by the Convention has been consolidated. The Convention, however, has not only established a humanitarian norm, it also provides the framework for overcoming the terrible effects of anti-personnel mines. States, whose populations suffer from these effects, should note that their acceptance of the Convention would see them benefit from the Convention's cooperation provisions regarding mine clearance and victim assistance.

Among the States remaining outside of the Convention, those that have recently used antipersonnel mines, continue to produce them or possess large quantities of them cause particular concern. Further efforts need to be made to bring these States into the Convention. We need therefore to increase our efforts, individually and collectively, to stress our conviction that no conceivable utility of anti-personnel mines could possibly outweigh and justify the devastating humanitarian costs of these weapons.

### **Taking action to achieve our objectives**

#### *A. Exchanging information*

Exchanging information through the Intersessional Work Programme and Article 7 reporting has been essential in the implementation of the Convention. Prior to the Convention's First Review Conference, even more priority should be placed on providing mine affected States Parties with sufficient opportunities to share information on their problems, plans, progress and priorities and needs for assistance. Similarly, States Parties and others in a position to do so should be given sufficient opportunities to share their plans for assistance.

As Article 7 reporting provides valuable information to both support co-operation and assess progress, States Parties must give due regard to the annual reporting deadlines contained in Article 7. States Parties, individually or collectively, the Article 7 Contact Group, the President and interested organizations should continue to promote implementation of these provisions and provide means to assist States Parties in complying with them. A particular emphasis should be placed on encouraging those 14 States Parties which have not yet submitted their initial Article 7 reports, to do so as soon as possible. In addition, mine affected States Parties should consider maximizing the potential of Article 7 reporting by using it, on a voluntary basis, as a tool to communicate to other States Parties their plans, challenges and needs regarding mine clearance, victim assistance and stockpile destruction. States Parties are encouraged to use "Form J" to

indicate resources, expertise and technical advice that they are willing to share, or have shared, with other countries. All States Parties should also take full advantage of the mechanisms and tools that have been developed to assist in completing Article 7 reports.

States Parties make considerable efforts to exchange information through the Intersessional Work Program and Article 7 reporting. They should ensure that the information made available is used effectively.

Exchanging and sharing information should also be enhanced through bilateral means and at regional level. Information sharing on mine clearance, stockpile destruction and victim assistance should be a continuous process and should serve as a means to achieve the aim of the universalization of the Convention.

#### *B. Mobilising resources*

In Article 6, States Parties in a position to do so committed themselves on a long-term basis to sustain the process of achieving the Convention's humanitarian aims. States Parties can live up to this obligation by continuing to give high priority to mine action within their development and humanitarian policies, particularly with a view to the Convention's 10-year time frame for mine clearance. In this regard, it should be emphasized that the States Parties have repeatedly stated that assistance and cooperation for mine action will flow primarily to those that have forsworn the use of these weapons forever through adherence to, implementation of, and compliance with the Convention.

Mobilizing resources for mine action is a collective responsibility. While it is important that financial resources continue to be provided by States in a position to do so, it is equally important that affected States Parties themselves take full ownership for this responsibility by integrating mine action into their national development and poverty reduction strategies. Moreover, resources to fulfil the aims of the Convention can be given by a variety of actors and relate to more than simply financial provisions. They can equally be provided by mine-affected states themselves, shared between mine-affected states or they can originate from development banks or the private sector. In this regard, the Resource Mobilization Contact Group should continue its efforts to encourage all relevant actors to ensure that by the First Review Conference a significant renewal of our collective commitment to eliminate anti-personnel mines.

#### *C. Regional approaches*

In the pursuit of the implementation of the Convention, each region has unique challenges and capacities. States Parties should therefore take steps to ensure that regional initiatives and activities to raise awareness on the issue of anti-personnel mines be undertaken as a continuous process, leading towards the First Review Conference. States Parties should highlight the issue of landmine in all the regional fora/meetings that they participate in.

It is through such regional initiatives and activities that the achievement of the Convention's aims will be realized.

#### *D. Actions to promote the universal acceptance of the Convention*

States Parties, individually and collectively, the Universalization Contact Group, the President and interested organizations should play an active role in promoting the Convention. We should strive to achieve maximum acceptance of the Convention and of the international norm established by it in time for the First Review Conference. To this end, mine-affected States that have not yet joined our common effort should be made aware of the Convention's unique sense of partnership and its mechanisms to promote international cooperation and assistance in the implementation of the Convention. We need to also step up our efforts to make States not party to the Convention realize the benefits from joining the Convention, inter alia, through awareness raising and practical cooperation.

States Parties and others should use every opportunity at all levels of contacts, bilateral and multilateral, political and military, with States not party to the Convention to urge them to ratify or accede to the Convention. Special emphasis should be placed on those States outside of the Convention that use, produce or possess large stockpiles of anti-personnel mines.

#### *E. The role of public conscience*

The efforts of the International Committee of the Red Cross (ICRC), the International Campaign to Ban Landmines (ICBL) and numerous other non-governmental organizations around the world in calling for a ban of anti-personnel mines is evidence of the important role of public conscience in furthering the principles of humanity. The role of public conscience will remain important in maintaining domestic interest in the landmines issue. Doing so will be essential to sustain the necessary political will and to generate financial and non-material resources to finish the work that remains.

The Convention's First Review Conference in 2004 provides an opportunity to focus awareness to an even greater extent on the progress that has been made in implementing the Convention as well as on the challenges that still remain to overcome the inhumane effects of anti-personnel mines. States Parties should continue to reinforce their strong partnership with the ICBL and ICRC, as well as with other significant actors in our common cause, like the United Nations and relevant international and regional organizations.

We should also work in partnership with the media as an important instrument in shaping the public conscience and creating public awareness of the landmine issue. At the same time, we should increasingly engage the private sector in our common efforts to address the humanitarian cost of landmines.

#### *F. Cooperation to promote further clarity*

The contributions of States Parties in informal discussions on matters pertaining to Articles 1, 2, 3, of the Convention have improved clarity and understanding with respect to the application of these Articles by States Parties. States Parties should continue to share information in the same informal, cooperative and voluntary manner with a view to developing common understandings on these matters at the First Review Conference.

Similarly, States Parties should continue to share information in the same manner regarding Articles 8 and 9 that make up the Convention's compliance provisions. The primary responsibility for ensuring compliance with the Convention rests with each individual State Party. Particular emphasis should therefore be given to ensure that all States Parties that have not yet done so take all appropriate legal, administrative and other measures to prevent or suppress any activity prohibited by the Convention in accordance with Article 9. States Parties should also place a high priority on ensuring a more coordinated and effective response to compliance concerns.

